

### **REMARKS/ARGUMENTS**

This Amendment is submitted in response to the Final Office Action dated December 14, 2006, and within the TWO MONTH period extending to February 14, 2006. The current status of the claims is summarized as follows:

- 5           • Claims 1, 5-6, 14, and 16-17 are currently amended.
- Claims 1-39 are pending in the application after entry of the present Amendment.

#### **Rejections under 35 U.S.C. 103**

10           Claims 1-4 and 7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (U.S. Patent No. 6,975,312 B1) in view of Rand et al. ("Rand" hereafter) (U.S. Patent No. 6,459,374 B1). These rejections are traversed.

          Claims 5-6, 8-9, 12-19, 22-32, and 35-39 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Rand, and further in view of Billiard (U.S. Patent  
15   No. 6,842,114 B2). These rejections are traversed.

          Claims 10-11, 20-21, and 33-34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Rand in view of Billiard, and further in view of Laor (U.S. Patent No. 6,002,331). These rejections are traversed.

          Claim 1 is amended to recite an operation for transmitting a change of connection  
20   state signal from a sensor within the network cable connector to a processor within the network cable connector. Amended claim 1 also recites operating the processor within the network cable connector to generate connection state information from the change of connection state signal. Amended claim 1 further recites operating the processor within the network cable connector to communicate said connection state information to a  
25   connection state monitoring utility within the IT network.

The Office has applied the combination of Kim and Rand to reject previously pending claim 1. Neither Kim nor Rand teach or suggest operation of a processor within a network connector. More specifically, neither Kim nor Rand teach or suggest operation of a processor within a network connector to generate connection state information from a change of connection state signal. Additionally, neither Kim nor Rand teach or suggest operation of a processor within a network connector to communicate the connection state information to a connection state monitoring utility within an IT network.

In rejecting claims 5, 16, and 25, the Office has asserted that Billiard teaches a processor within a network cable connector. However, the Applicant does not find such a teaching within Billiard. Claim 1 recites that the network cable connector is defined to enable connection of an IT network cable to an IT network connected device such that IT network signals can be transmitted between the IT network connected device and the IT network cable through the network cable connector. Simply stated, Billiard does not teach a network cable connector or operation of a processor therein, as recited in claim 1.

Billiard teaches a detector connected by a wire-based electrical link to a signaling unit for the detection of a theft of an object to be protected. The detector exhibits a first electrical status when it is attached to the object to be protected. The detector exhibits a second electrical status when it is detached from the object to be protected. The electrical status exhibited by the detector is transmitted through the wire-based electrical link to the signaling unit. The signaling unit compares the electrical status received from the detector through the wire-based electrical link to a threshold to determine whether the electrical status represents an unauthorized detachment of the detector from the object to be protected.

It should be understood that the detector, wire-based electrical link, and signaling unit of Billiard are specifically defined to implement the safety device for the detection of

a theft of an object to be protected. The detector and wire-based electrical link are not equipped to transmit information technology (IT) network signals between IT network connected devices. Therefore, the detector of Billiard does not teach a network cable connector within an IT network. Moreover, the wire-based electrical link of Billiard does  
5 not represent an IT network cable.

While Billiard does teaches a distributor that includes a micro controller 7 having a central processing unit and memory 8, it should be understood that the distributor of Billiard has no relevance to a network cable connector. The distributor is defined to operate as a signaling unit to communicate with a central control unit. The distributor  
10 does not represent a network cable connector as recited in amended claim 1. Therefore, the fact that the distributor of Billiard includes a processor does not teach or suggest operation of a processor within a network cable connector as recited in amended claim 1.

For a claim to be rendered prima facie obvious under 35 U.S.C. 103, the combined prior art must teach or suggest each and every feature of the claim. In view of  
15 the foregoing, the Applicant submits that the combined cited art of record fails to teach each and every feature of amended claim 1. The Office is kindly requested to withdraw the rejection of amended claim 1 under 35 U.S.C. 103.

Claim 14 is amended to recite an operation for transmitting a change of  
20 connection state signal from a sensor within a network cable connector to a processor within the network cable connector. Amended claim 14 also recites operating the processor within the network cable connector to generate connection state information from the change of connection state signal. Amended claim 14 further recites operating the processor within the network cable connector to communicate the connection state

information from the network cable connector through the IT network to the connection monitoring utility using a network communication protocol.

In applying the combination of Kim, Rand, and Billiard to reject claim 14, the Office has asserted that Billiard teaches a processor within a network cable connector.

5 However, as discussed above with regard to amended claim 1, the Applicant does not find such a teaching within Billiard. The above-mentioned features of amended claim 14 regarding operation of a processor within a network cable connector are similar to those features previously discussed with regard to amended claim 1. Therefore, the Applicant's arguments provided above with regard to amended claim 1 are equally applicable to  
10 amended claim 14.

For a claim to be rendered prima facie obvious under 35 U.S.C. 103, the combined prior art must teach or suggest each and every feature of the claim. In view of the foregoing, the Applicant submits that the combined cited art of record fails to teach each and every feature of amended claim 14. The Office is kindly requested to withdraw  
15 the rejection of amended claim 14 under 35 U.S.C. 103.

Claim 24 recites a network cable connector that includes a processor and a sensor. Claim 24 further recites that the processor is defined to respond to generation of a connection state signal by transmitting connection state information over a  
20 communication network to indicate a connection state of the network cable connector.

In applying the combination of Kim, Rand, and Billiard to reject claim 24, the Office is silent with regard to a particular reference teaching of the processor included within the network cable connector. However, based on the Office's comments with regard to claim 25, the Office asserts that Billiard teaches a processor within a network

cable connector. As discussed above with regard to amended claim 1, the Applicant does not find such a teaching within Billiard.

As discussed above with regard to claim 1, Billiard teaches a distributor that includes a micro controller 7 having a central processing unit and memory 8. The distributor is defined to operate as a signaling unit to communicate with a central control unit. The signaling unit, i.e., distributor, compares the electrical status received from a detector through a wire-based electrical link to a threshold to determine whether the electrical status represents an unauthorized detachment of the detector from the object to be protected. It should be understood that neither the detector nor the distributor of Billiard represents or is suggestive of a network cable connector. Therefore, the fact that the distributor of Billiard includes a processor does not teach or suggest a processor within a network cable connector as recited in claim 24.

For a claim to be rendered *prima facie* obvious under 35 U.S.C. 103, the combined prior art must teach or suggest each and every feature of the claim. In view of the foregoing, the Applicant submits that the combined cited art of record fails to teach each and every feature of claim 24. The Office is kindly requested to withdraw the rejection of amended claim 24 under 35 U.S.C. 103.

The Applicant further submits that there is no motivation or suggestion in either Kim, Rand, or Billiard for one of ordinary skill in the art at the time of the invention to have combined their respective teachings in the manner asserted by the Office. Kim discloses a system for checking a connection state of a network cable. The system of Kim includes a network connector 10 to which the network cable can be connected. However, the functionality of Kim's system with regard to detecting the connection state of the network cable is provided by modules that exist outside the network connector 10,

namely by the signal processing unit 20 and micro controller unit 30. Kim does not teach or suggest modification of the network connector 10.

Rand teaches an anti-theft computer security system that includes a USB connector 10 connected to a cable 20. Cable 20 is connected via connector 21 to a port 31  
5 of a central alarm monitoring unit 30. The USB connector 10 is connected to a USB of a computer to be protected from theft. The USB connector 10 includes a sensor to detect when the USB connector 10 is disconnected from the computer. The cable 20 includes four wires that are exclusively used to implement the security features associated with the system. It should be understood that the cable 20 and USB connector 10 are defined  
10 specifically to implement the anti-theft computer security system. The cable 20 and USB connector 10 are not equipped to transmit network signals. More specifically, the USB connector 10 of Rand is neither intended to transmit nor capable of transmitting network signals. Consequently, the USB connector 10 of Rand does not teach or suggest modification of a network cable connector that is required to transmit network signals.

15 Billiard teaches an electronic wire-based safety device for the detection of a theft of an object to be protected. The device of Billiard includes a detector connected by a wire-based electrical link to a signaling unit. It should be understood that the detector, wire-based electrical link, and signaling unit of Billiard are defined specifically to implement the safety device for the detection of a theft of an object to be protected. The  
20 detector and wire-based electrical link are not equipped to transmit network signals. More specifically, the detector of Billiard is neither intended to transmit nor capable of transmitting network signals. Consequently, the electronic wire-based safety device of Billiard does not teach or suggest modification of a network cable connector that is required to transmit network signals.

In view of the foregoing, the Applicant submits that neither Kim, Rand, nor Billiard provide a suggestion or motivation for one of ordinary skill in the art at the time of the invention to have combined their respective teachings. MPEP §2143.01 states that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. However, the level of ordinary skill in the art cannot be relied upon to provide the suggestion to combine references. *Al-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999). Therefore, the Applicant submits that the teachings of Kim, Rand, and Billiard are not combinable in an attempt to render claims 1-39 prima facie obvious under 35 U.S.C. 103.

Because a dependent claim incorporates each and every feature of the independent claim from which it depends, the Applicant submits that each of dependent claims 2-13, 15-23, and 25-39 is patentable for at least the same reasons discussed above with regard to its respective independent claim. Therefore, the Office is kindly requested to withdraw the rejections of dependent claims 2-13, 15-23, and 25-39 under 35 U.S.C. 103.

In view of the foregoing, the Applicant submits that all of the pending claims are in condition for allowance. Therefore, a Notice of Allowance is requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 774-6914. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP467). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,  
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